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4 Santa Rosa, CA 95404  
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7 Attorneys for Defendants  
8 MATTHEW CAVIGLIA, AS TRUSTEE  
9 OF THE RONALD & Nanci CAVIGLIA  
10 2003 REVOCABLE TRUST

11 UNITED STATES DISTRICT COURT  
12  
13 NORTHERN DISTRICT OF CALIFORNIA

14 PATRICK CONNALLY, an individual; and  
15 DISABILITY RIGHTS ENFORCEMENT,  
16 EDUCATION, SERVICES: HELPING  
17 YOU HELP OTHERS, a California public  
18 benefit corporation,

19 Plaintiff,

20 vs.

21 FRANK'S FREEZE; MATTHEW  
22 CAVIGLIA, as trustee of the RONALD &  
23 NANCY CAVIGLIA 2003 REVOCABLE  
24 TRUST; and MYUNG SHIN KIM and HYE  
25 SEO KIM, a married partnership dba  
26 FRANK'S FREEZE,

27 Defendants.  
28 \_\_\_\_\_/

Case No. C05-2239 JCS

**JOINT CASE MANAGEMENT  
STATEMENT**

DATE: 4/28/06  
TIME: 9:30 a.m.  
DEPT.: 8

29 The parties hereto submit the following Joint Case Management Statement as follows:

30 The co-defendants are working out the terms of a "side deal" which addresses  
31 responsibility for the repairs and related issues. The landlord responded to the tenant's draft  
32 proposal on Friday April 21, 2006. The parties anticipate that the agreement will be finalized, if  
33 it is to be finalized, within fourteen (14) days from that date. It is requested the court grant a

1 final continuance of this matter for settlement documents for an additional two weeks until May  
2 12, 2006.

3  
4 Dated: April \_\_\_, 2006

GEARY, SHEA, O'DONNELL, GRATTAN  
& MITCHELL, P.C.

5  
6 By: \_\_\_\_\_

JOHN A. HOLDREDGE  
Attorneys for Defendants  
MATTHEW CAVIGLIA, AS TRUSTEE  
OF THE RONALD & Nanci CAVIGLIA  
2003 REVOCABLE TRUST

7  
8  
9  
10 Dated: April \_\_\_, 2006

BORTON PETRINI & CONRON

11 By: \_\_\_\_\_

KELLY REID  
Attorneys for Defendants  
MATTHEW CAVIGLIA, AS TRUSTEE  
OF THE RONALD & Nanci CAVIGLIA  
2003 REVOCABLE TRUST

12  
13  
14  
15 Dated: April \_\_\_, 2006

THOMAS E. FRANKOVICH, A  
PROFESSIONAL LAW CORPORATION

16  
17 By: \_\_\_\_\_

JENNIFER L. STENEBERG  
Attorneys for Plaintiffs  
PATRICK CONNALLY AND DISABILITY  
RIGHTS ENFORCEMENT, EDUCATION,  
SERVICES: HELPING YOU HELP OTHERS

18  
19  
20  
21 Dated: April \_\_\_, 2006

BEYERS COSTIN

22 By: \_\_\_\_\_

STEPHEN PERRY  
Attorneys for Defendants  
MYUNG SHIN KIM and HYE SEO KIM

23  
24  
25 Dated: April 27, 2006



PROOF OF SERVICE

I am employed in the County of Sonoma, State of California. I am over the age of 18 years and not a party to the within action. My business address is Geary, Shea, O'Donnell & Grattan, P.C., 37 Old Courthouse Square, Fourth Floor, Santa Rosa, CA 95404.

On April 26, 2006, I served the attached:

**JOINT CASE MANAGEMENT STATEMENT**

on the parties to this action by placing a true copy thereof in a sealed envelope, addressed as follows:

Jennifer L. Steneberg, Esq. Thomas E. Frankovich, A Professional Law Corporation 2806 Van Ness Avenue San Francisco, CA 94109	Attorneys for Plaintiffs Patrick Connally and Disability Rights Enforcement, Education, Services: Helping You Help Others
Stephen Duane Perry, Esq. Beyers Costin 200 Fourth Street, Suite 400 P. O. Box 878 Santa Rosa, CA 95402-0878	Attorneys for Defendants Myung Shin Kim and Hye Seo Kim
Kelley Reid, Esq. Borton Petrini & Conron 463 Pacific Avenue San Francisco CA 94133-4614	Attorneys for Defendants Matthew Caviglia, as Trustee of The Ronald & Nanci Caviglia 2003 Revocable Trust

/X/ (BY MAIL) I placed each such sealed envelope, with postage thereon fully prepaid for first-class mail, for collection and mailing at Santa Rosa, California, following ordinary business practices. I am readily familiar with the practice of Geary, Shea, O'Donnell & Grattan for processing of correspondence, said practice being that in the ordinary course of business, correspondence is deposited in the United States Postal Service the same day as it is placed for processing.

/\_ / (BY OVERNIGHT DELIVERY, PURSUANT TO CCP §1013(c)) I placed such sealed envelope for collection and mailing by overnight delivery at Santa Rosa, California, within the ordinary business practices of Geary, Shea, O'Donnell & Grattan. I am readily familiar with the practices of Geary, Shea, O'Donnell & Grattan for processing overnight correspondence, said practice being that in the ordinary course of business, correspondence is either picked up by or delivered to the delivery company the same day as it is placed for processing.

//

1 /\_\_\_/ (BY PERSONAL SERVICE) I caused each such envelope to be delivered by hand to the  
addressee(s) noted above.

2  
3 /\_\_\_/ (BY FACSIMILE) I caused the said document to be transmitted pursuant to Rule 2008, by  
Facsimile machine (which complies with Rule 2003(3)) to the number indicated after the  
4 address(es) noted above. The transmission was reported as complete and without error.

5 I declare under penalty of perjury, under the laws of the State of California, that the  
6 foregoing is true and correct. This Proof of Service was executed on April 26, 2006, at Santa  
Rosa, California.

7  
8 \_\_\_\_\_  
Susan Jacoby

9  
10 Caviglia #19140-001